

PATENT APPLICATION

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Docket No: Q82363

Angelo MASON

Appln. No.: 10/500,636

Group Art Unit: 3728

Confirmation No.: 3018

Examiner: Jila M. Mohandesi

Filed: July 2, 2004

For: FOOT-WEARS, NAMELY SPORT FOOT-WEARS, AND PRODUCTION METHOD THEREOF

**INFORMATION DISCLOSURE STATEMENT
UNDER 37 C.F.R. §§ 1.97 and 1.98**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

In accordance with the duty of disclosure under 37 C.F.R. § 1.56, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents which are listed on the attached PTO/SB/08 A & B (modified) form and/or listed herein and which the Examiner may deem material to patentability of the claims of the above-identified application.

One copy of each of the listed documents is submitted herewith, except for the following: U.S. patents and/or U.S. patent publications; and co-pending non-provisional U.S. applications filed after June 30, 2003.

The present Information Disclosure Statement is being filed (without a Statement Under 37 C.F.R. § 1.97(e)) after the later of three months from the application's filing date and the mailing date of the first Office Action on the merits, but before a Final Office Action, Notice of Allowance, or an action that otherwise closes prosecution in the application (whichever is earlier), and therefore the fee of \$180.00 under 37 C.F.R. § 1.17(p) is being remitted.

In compliance with the concise explanation requirement under 37 C.F.R. § 1.98(a)(3) for foreign language documents, Applicant submits the following explanations:

JP 52-106948

The embodiment of figure 5 of JP 52-106948 relates to a plurality of substantially parallel inserts for a shoe sole. Each insert consists of a single straight wire member.

The embodiment of figure 6 of JP 52-106948 relates to an insert for a shoe sole, consisting of a single wire member, having a length and forming two end portions and an intermediate portion of the insert. This wire member has intermediate bends. All of these bends are at the end portions of the insert and define a plurality of pairs of wire portions arranged side by side, the wire portions of each pair being consecutive and separated from each other by a respective one of the above bends. The above wire portions extend in a substantially longitudinal direction of the sole, some of them being in the medial portion of the instep region of the sole. As it is apparent, in this embodiment of JP 52106948, all the wire portions extend only in the longitudinal direction of the sole, such that there are no consecutive wire portions arranged side by side and extending in the transverse direction of the sole are provided, between the lateral portions of the rearfoot or the forefoot region thereof.

The embodiment of figure 8 of JP 52-106948 relates to an insert for a shoe sole, consisting of two series of wire members. The members of a series are orthogonal to the members of the other series, to form a grid-like configuration.

The embodiment of figure 7 of JP 52-106948 relates to an insert for a shoe sole consisting of a single wire member bent in a spiral configuration. This wire member has a length development and form two end portions and an intermediate portion of the insert. This wire member also has intermediate bends, to define a plurality of wire portions. Most of these wire portions extend in the longitudinal direction of the sole, whereas only a limited number of wire portions extend in a transverse direction of the sole.

Due to the above spiral configuration, the wire portions which can be seen as arranged side by side of the wire member of the embodiment of figure 7 are never consecutive portions, being separate from each other by a respective bends. In other words, in the embodiment of figure 7 of JP 52-106948,

- a wire portion extending in the longitudinal direction of the sole is always followed by a wire portion arranged in the transverse direction of the sole, or

- a wire portion extending in the transverse direction of the sole is always followed by a wire portion arranged in the longitudinal direction of the sole.

To say it differently, between two transverse wire portions arranged side by side there are always three other wire portions and four bends.

The inserts of JP 52-106948 are specifically conceived for reinforcing the shoe shank only, i.e., only the portion between the rearfoot and the frontfoot regions. JP 52-106948 proposes in fact a solution for replacing a metal plate which is arranged at the shoe instep of traditional shoes. To this purpose, all the structures proposed by JP 52-106948 imply that the insert always has wire members or portions thereof extending in the longitudinal direction of the sole from the rearfoot to the forefoot region thereof.

Embodiments of figure 5 and 6 of JP 52-106948 do not allow for obtaining any stiffening in the transverse direction of the sole, in the forefoot or rearfoot region thereof.

Similarly, the embodiment of figure 7 of JP 52-106948 does not allow for obtaining any real stiffening in the transverse direction of the sole, in the forefoot or rearfoot region thereof. This is due to the fact that the transverse wire portions are always intermediate to two wire portions extending in the longitudinal direction of the sole: this spiral configuration does not allow for efficiently preventing any transverse torsion of the respective region of sole.

A certain degree of stiffening may probably be obtained with the embodiment of figure 8 of JP 52-106948, but the resulting grid-like configuration of this embodiment implies a noticeable complication in the manufacturing of the sole, as well as an increase overall weight of the sole. Additionally it has to be noticed that, in this embodiment, a flexural or torsion stress upon the transverse wire members is always transmitted to a certain extent also onto the longitudinal wire members (the two orthogonal series of wire members must be superimposed or interlaced), and this negatively affects the overall behavior of the sole.

JP 60-109406

The insert disclosed in JP 60-109406 is a substantially plate-shaped insert.

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JP 05-084103

JP 05-084103 relates to a method for manufacturing soles by molding of a synthetic material.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application.

The USPTO is directed and authorized to charge the statutory fee of \$180.00 and all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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